

Exhibit 2

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

**IN RE CATTLE AND BEEF
ANTITRUST LITIGATION**

Civil No. 20-cv-1319 (JRT/HB)

Judge John R. Tunheim

This document relates to:

ALL CASES

**PLAINTIFFS' JOINT REVISED PROPOSAL RE: DOCUMENT CUSTODIANS,
NON-CUSTODIAL DOCUMENT SOURCES, AND DATE RANGES TO TYSON
FOODS, INC. AND TYSON FRESH MEATS, INC.**

Cattle, Peterson, DPP, E&G and Winn-Dixie Plaintiffs¹ in the above-captioned matter ("Plaintiffs"), through their counsel, submit the following Joint Revised Proposal re: Document Custodians, Non-Custodial Document Sources, and Production Date Range Disclosures pursuant to Section V of the Order Regarding Production of Electronically Stored Information and Paper Documents (ECF No. 93) ("ESI Protocol") to Defendants Tyson Foods, Inc. and Tyson Fresh Meats, Inc. (collectively, "Tyson").

This Joint Revised Proposal supersedes all proposed additional Document Custodians, Non-Custodial Document Sources the Classes have issued to date in response

¹ As used throughout, *Cattle, Peterson, DPP, E&G, Winn-Dixie*, refer to *In re Cattle Antitrust Litigation*, Case No. 19-cv-1222; *Peterson v. JBS USA Food Company Holdings, et al.*, Case No. 19-cv-1129; *In re DPP Beef Litigation*, Case No. 20-cv-1319; *Erbert & Gerbert's, Inc. v. JBS USA Food Company Holdings, et al.*, Case No. 20-cv-1414; and *Winn-Dixie Stores, et al. v. Cargill, Inc., et al.*, Case No. 21-cv-1751, respectively.

to Tyson’s Updated Initial Proposal for Document Custodians, Non-Custodial Document Sources, and Date Ranges, served in both *Cattle* and *Peterson* on September 16, 2020 (“Tyson Proposals”). Specific to Date Ranges, Plaintiffs outline their joint position with respect to first set of Requests for Production (“RFPs”) previously served by the *Cattle* and Consumer Indirect Purchaser Plaintiffs plaintiffs (“Cattle Set One” and “Beef Set One”, respectively).² In the interest of judicial economy and efficiency, and without waiving any of their rights, Plaintiffs have addressed certain Cattle and Beef Set One RFPs together for this purpose where they cover similar subjects.

Plaintiffs reserve their right to amend and/or supplement these proposed additional Custodians, Non-Custodial Sources, and Date Range proposals at any appropriate time, including upon the service of further Rule 34 requests for production, if they obtain additional or more accurate information, or if otherwise appropriate based upon the Court’s subsequent orders or as a result of the parties’ upcoming meet and confers. In making these proposals, Plaintiffs make no representations regarding whether they may use any documents, people, or information listed herein in support of their claims or defenses in this matter.

² *Cattle* Plaintiffs’ First Set of Requests to All Defendants for the Production of Documents and Electronically Stored Information served on June 19, 2021 (“Cattle Set One”); Consumer Indirect Purchaser Plaintiffs’ First Set of Requests for Production of Documents to all Defendants served on June 19, 2021 (“Beef Set One”).

PLAINTIFFS' PROPOSED ADDITIONAL DOCUMENT CUSTODIANS, NON-CUSTODIAL DOCUMENT SOURCES, AND COUNTER PROPOSAL ON PRODUCTION DATE RANGE

Subject to the reservations detailed above, Plaintiffs propose the following additional document custodians, non-custodial document sources, and alternative production date ranges. The proposed document custodians and non-custodial documents sources are in addition to those already proposed in the Tyson Proposals.

I. ADDITIONAL DOCUMENT CUSTODIANS³

Director/Executive/Corporate

1. Roel Andriessen (SVP International (1/01/14 – 1/02/17))⁴
2. Dean Banks (President (12/20/19 – 12/31/19); Director (2017 – 2019))
3. Chris Benson (VP Value Added Meats (1/01/14 – 3/15/14))
4. Brad Bodine (VP Sales (8/01/19 – 12/31/19); VP National Account Sales (1/01/14 – 7/31/19))
5. Dan Brooks (SVP & GM Beef Enterprise (07/16/15 – 08/01/17))
6. Andrew Callahan (President, Retail Packaged Brands (2014 – 2016))
7. Ryan Cook (Manager Beef Pricing, N. Sioux City, SD)
8. Keith Culver (SVP Sales & Marketing (6/01/19 – 12/31/19); VP Fresh Meats Sales & Marketing (5/03/15 – 5/31/19); VP New Product Production & Sales (1/01/14 – 5/02/15))
9. Chris Daniel (SVP Beef Margin Management, Sioux City, Iowa Area)
10. Mark Gingerich (VP Sales (1/01/14 – 12/31/15))

³ The sub-headings outlined below are provided for convenience only and reflect Plaintiffs' investigations to date.

⁴ Position and tenure information is provided for convenience only and reflect Plaintiffs' investigation to date.

11. Stewart F. Glendinning (EVP & CFO (2/10/18 – 12/31/19); EVP Finance & Accounting (12/11/17 – 2/09/18))
12. Mark Gordon (VP Case Ready Value Added Operations (3/03/14 – 12/31/19))
13. Brian Haak (VP, National Food Service Chain Accounts (8/11/19 – 12/31/19))
14. Kent Harrison (VP, Marketing & Premium Programs (1/01/14 – 12/31/19))
15. Thomas Hayes (President & CEO (12/31/16 – 9/29/18); President (6/13/16 – 12/30/16); Chief Commercial Officer (June 2015 – at least 2016); President, Foodservice (September 2014 – at least 2015))
16. Nathan (“Nate”) Hodne (SVP & GM Value Added & Case Ready (1/28/19 – 12/31/19); SVP Case Ready Beef & Pork (2/04/18 – 1/27/19))
17. Lanny Johnk (VP, Supply Chain (2/04/18 – 12/31/19))
18. Jon Kathol (VP Investor Relations & Assistant Secretary (1/01/14 – 12/31/19))
19. Donnie King (Group President, Chief Administration Officer (1/22/19 – 12/31/19); President North American Operations (11/29/15 – 2/15/17); President North American Operations Fresh Beef/Pork Poultry & Prepared Foods (6/17/15 – 11/28/15); President North American Operations & Food Service (8/29/14 – 6/16/15))
20. Jay Krehbiel (VP International Sales (2/04/18 – 12/31/19))
21. Dennis Leatherby (Chief Financial Officer (2/15/17 - 4/07/18); EVP & Chief Financial Officer (1/01/14 - 2/14/17))
22. Jim Lochner (Chief Operating Officer (1/01/14 – 9/19/14))
23. Mark Lytle (Sr. Director, Commodity)
24. Chad Martin (SVP & GM Beef Enterprise (4/16/17 – 1/27/19); VP Beef Operations Specialist (10/02/16 – 4/15/17); VP Food Safety & Quality Assurance (1/01/14 – 10/01/16))
25. William McClamroch (National Accounts Foodservice (5/14 – Present))
26. Ray McGaugh (SVP Raw Value Added (10/26/14 – 9/30/18))

27. John McKeone (VP Supply Chain & Beef Production Planning (2/04/18 – 12/31/19))
28. Gary Mickelson (Sr. Director, Public Relations (01/09/16 – 12/31/19))
29. David Minx (VP Meat Procurement)
30. Pamela Muniz (Senior Sales Specialist)
31. Todd Nogelmeier (VP Food Service Sales (8/01/16 – 12/31/19))
32. Noelle O'Mara (Group President Prepared Foods (August 2019 – Present))
33. Dan Peed (VP National Account Sales (12/03/18 – 12/31/19))
34. Chuck Penry (VP, Federal Government Relations)
35. Jerry Pfeifer (VP Controller (1/01/14 – 4/30/15))
36. Sheldon Phillips (VP New Product Production & Sales (6/21/15 – 6/02/18))
37. Farrah Preston (Senior Accounts Manager (4/18 – Present))
38. Chambers Randall (VP Risk Management, N. Sioux City, SD)
39. Jason Robertson (VP Case Ready Margin Optimization (1/01/14 – 12/31/19))
40. Scott Rouse (Executive VP and Chief Customer Officer (2014 – Present))
41. Chris Rupp (VP Fresh Meats Beef Operations (1/01/14 – 12/31/19))
42. Malik Sadiq (International China, SVP International (9/03/17 – 5/04/19); SVP Business Development (11/01/15 – 9/02/17); SVP Asia Pacific (3/01/14 – 10/31/15); International China, VP Operations (1/01/14 – 2/28/14))
43. Gary Sheneman (SVP Case Ready Beef & Pork (1/01/14 – 1/01/15))
44. Rob Shuey (SVP International (6/05/17 – 12/31/19); VP International Sales (6/01/16 – 6/04/17))
45. Scott Spradley (Executive VP and Chief Technology Officer (2017 – Present))
46. Glenn Strickholm (Tyson Shared Services, VP International Sales Value Added (2/04/18 – 12/31/19); Tyson Foods, VP Food Service Sales (7/18/16 – 2/03/18); VP Fresh Meat Food Service Sales (1/01/14 – 7/17/16))

47. Scott Sorensen (Corporate Manager of Carcass Merchandising)
48. Deborah Tagstrom (Production Planning Supervisor, Sioux City, Iowa Area)
49. Dan Tjaden (SVP Operations Support (2/04/18 – 12/31/19); VP Operations Support (1/01/14 – 2/02/18))
50. Margarito (“Jaime”) Torrez (VP National Account Sales (8/11/19 – 12/31/19); VP National Food Service Chain Accounts (2/04/18 – 8/10/19))
51. Don Tyson (Board Member)
52. John H. Tyson (Director (2014 – 2019))
53. Ryan Vessell (Vice President Foodservice & Emerging Channels (7/08-Present))
54. Kevin Younger (VP Added Division (12/03/18 – 12/31/19); VP National Account Sales (1/01/14 – 12/02/18))
55. Each employee, not named above or in the Tyson Proposal, who:
 - a. was responsible for providing economic analysis of the fed cattle and live cattle markets between January 1, 2012 and June 30, 2020 (“Core Production Period”);
 - b. was responsible for Tyson’s live cattle futures and options positions during the Proposed Production Period; and/or
 - c. regularly attended the daily meetings described in paragraph 88 of the Third Consolidated Amended Complaint (*Cattle* ECF No. 312) during the Core Production Period.

Assistants

56. Ragan Melton (Assistant to Stewart Glendinning)
57. Karen Nagy (Assistant to Thomas Hayes)
58. Karla Robertson-Owens (Assistant to Roel Andriessen, Jay Krehbiel, Robert Shuey)
59. Denise Aritong (Assistant to Steve Billups)
60. Susan Conway (Assistant to Daniel Brooks, Chad Martin, Shane Miller, Daniel Tjaden)

61. Joette Stewart (Assistant to Keith Culver, Jerry Holbrook)
62. Melissa Streeter (Assistant to Keith Culver)
63. Jill Hansen (Assistant to Shane Miller)
64. Sarah Wharry (Assistant to Jason Robertson)
65. Robin O'Dell (Assistant to Jason Robertson)
66. Aimee Hanson (Assistant to Stephen Stouffer)
67. Kerry Gill (Assistant to Daniel Tjaden)
68. Christina Probst (Assistant to Daniel Tjaden)
69. Erin Schroeder (Assistant to Daniel Tjaden)
70. Debbie Rogers (Assistant to Donnie King)
71. Each employee, not named above or in the Tyson Proposal, who acted as an assistant to one or more of the proposed Tyson custodians during the Core Production Period and possess responsive non-duplicative information

Plant

72. Anthony Lang (Plant Manager, Holcomb, KS)
73. Jerry Menke (Plant Manager, Cherokee, IA)
74. Gloria Rodriguez (Plant Manager, Denison, IA)
75. Ernesto Sanchez (General Manager, Amarillo, TX (2014 – Present))
76. Mark Sarratt (Complex Manager, Lexington, NE (2015 – 2017))
77. Paul van Wassenhove (Plant Manager, Dakota City, NE)
78. Each Complex/General Manager, Head of Fabrication, and Head of Slaughter Operations at each of Tyson's fed cattle slaughter plants during the Core Production Period, not named above or in the Tyson Proposal.

Field

79. Brian Alsup (Field Buyer)
80. Rebecca ("Becky") Connor (Field Buyer)

81. Cory Coulander (Field Buyer)
82. Jack Crawl (Regional Cattle Buyer)
83. Tim Grady (Field Buyer)
84. Boyd Kesler (Field Buyer)
85. Each Field and Regional Cattle Buyer engaged in the purchase of fed cattle on Tyson's behalf during the Core Production Period, not named above or in the Tyson Proposal.

II. ADDITIONAL NON-CUSTODIAL SOURCES

Plaintiffs propose the following non-custodial data sources:

1. Corporate Email Systems
2. Company phone records
3. Tyson Intranet
4. Department Shared Laptops (used within beef business other than by members of the accounting department)
5. Microsoft Teams
6. OneDrive
7. Skype for Business
8. SAP
9. CRM

III. ALTERNATIVE PRODUCTION DATE RANGES

Below, pursuant to §V(B)(1)(a)(c) of the ESI Protocol, Plaintiffs “make [their] counter-proposals on date ranges.” For the ease of negotiation, and in the interest of judicial economy and efficiency, Plaintiffs have addressed certain Cattle and Beef Set One

RFPs together for this purpose where they cover similar subjects. Plaintiffs, however, expressly reserve their rights in this regard.⁵

Plaintiffs also reserve the right to revise their proposal as appropriate, including in response to the receipt of additional or more accurate information, the parties' forthcoming negotiations regarding their respective objections to each other's initial RFPs, proposed document custodians, non-custodial sources, and date ranges, or any subsequent court order. In proposing the below date ranges Plaintiffs reserve their right to challenge any and all of Tyson's responses and objections to Plaintiffs' Initial RFPs.

⁵ Unless otherwise indicated, all capitalized terms will have the same meaning as described in Cattle and Beef Set One RFPs.

Proposed Date Ranges for Cattle Set One and Peterson Crossover RFPs

| RFP No. | Relevant Peterson RFP(s) | Request | Tyson's Proposed Date Range | Plaintiffs' Proposed Date Range |
|----------------|---------------------------------|---|--|--|
| 1 | N/A | Documents and Communications sufficient to show Your compliance policies, whether implemented, adopted, used, or considered, concerning federal, state, or international antitrust laws, competition laws, anti-monopoly laws, anti-cartel laws, commodities laws, CME rules, unfair competition laws, anti-bribery laws, and any similar laws or regulations; or policies concerning contacts and/or Communications with Your competitors. This Request includes: (i) current and former versions of such compliance policies and procedures; (ii) presentations, seminars, programs, and memos Concerning such compliance policies and procedures; and (iii) statements signed by Your Employees working within Your Cattle Business that acknowledge receipt of or compliance with such policies and procedures. | January 1, 2012 – June 30, 2020 | Agreed |
| 2 | 13, 14 | Transaction-level data for all of Your purchases, sales, trades, or any other transaction of or in Cattle, Beef, or Cattle Futures, including: all Cattle Purchase Data; all Beef Sales Data; all Order Data. This Request relates to the period from January 1, 2009, through the date of your response. Plaintiffs request this information in the most disaggregated form (meaning at the transactional level, not aggregated by month or quarter) in which it | January 1, 2014 – June 30, 2020 Tyson will meet and confer regarding subsets of data requested by Plaintiffs based on availability of | January 1, 2006 – December 31, 2021 Plaintiffs propose that the period January 1, 2006, – December 31, 2021, apply, but |

| RFP No. | Relevant Peterson RFP(s) | Request | Tyson's Proposed Date Range | Plaintiffs' Proposed Date Range |
|----------------|---------------------------------|---|---|---|
| | | is kept, and Defendants should produce the data in a comma-delimited text file (e.g., a file with a file extension of .csv or .txt). If You maintain separate or distinct sets of such data for internal purposes, or any other purpose, Plaintiffs' request is for each separate set of data. | such data and the specific data's relevance to this litigation. | are willing to meet and confer with Tyson to discuss both the availability of data and the appropriate start date of any such production. |
| 3 | 3 | All Documents and Communications concerning Fed Cattle, Cattle Futures and/or Beef that You produced to or received from any regulatory body or government agency, including, the U.S. Department of Justice, U.S. Government Accountability Office, the USDA, U.S. Commodity Futures Trading Commission, CME, National Futures Association, U.S. Securities & Exchange Commission, U.S. Federal Trade Commission, Federal Bureau of Investigation, any state law enforcement agency official, or any committee or member of the United States Congress. This Request includes all: (i) Documents or Communications produced pursuant to grand jury subpoenas, civil investigative demand or any other request for production of documents or information (whether formal or informal); (ii) copies of any such requests; (iii) all responses, objections, stipulations, modifications, production logs, privilege logs, or other | January 1, 2014 – June 30, 2020 | January 1, 2012 – June 30, 2020, save that Plaintiffs expect Defendants to produce all materials related to the ongoing DOJ, State AG and USDA investigations referred to in the complaint. Plaintiffs are willing to meet and confer with Tyson as to whether there are |

| RFP No. | Relevant Peterson RFP(s) | Request | Tyson's Proposed Date Range | Plaintiffs' Proposed Date Range |
|---------|--------------------------|--|---------------------------------|---|
| | | parameters Concerning Your production of Documents and/or Communications to any such government or regulatory agency, (iv) transcripts of any governmental or regulatory proceedings or testimony; and (v) interrogatory answers, white papers, presentations, or other Documents or Communications produced to any such governmental or regulatory agency. | | specific regulatory productions or communications during the disputed period between January 1, 2012, and December 31, 2013, that might be appropriately excluded from its production in response to RFP 3. |
| 4 | 2 | All Communications or Documents Concerning Communications, agreements, or meetings between You and any Beef packer (including any other Defendant) concerning Your or another packer's Cattle Business, or the Cattle Business generally. Excluded from this request are any Documents or Communications in which Defendants' or third party Beef packers' veterinary Employees were the exclusive senders and recipients. | January 1, 2014 – June 30, 2020 | January 1, 2012 – June 30, 2020 |

| RFP No. | Relevant Peterson RFP(s) | Request | Tyson's Proposed Date Range | Plaintiffs' Proposed Date Range |
|----------------|---------------------------------|---|------------------------------------|--|
| 5 | N/A | All Communications or Documents Concerning Communications between You and Producers Concerning Fed Cattle prices; Cattle Futures prices; Fed Cattle purchases; Fed Cattle deliveries; the basis on which You would, or would not, negotiate Fed Cattle purchases, including the application of the Queuing Convention or other similar rules or conventions; card drawing; Fed Cattle demand; Fed Cattle slaughter plant utilization and capacity; the Producer's Communications with another Packer; and Beef prices or demand. This request includes Communications with feedlots that You own. | January 1, 2014 – June 30, 2020 | January 1, 2012 – June 30, 2020 |
| 6 | N/A | All Communications or Documents Concerning Communications between You and third parties, including futures commission merchants and brokerage and clearing organizations, Concerning Your or another Defendants' Cattle Futures trading activity. | January 1, 2014 – June 30, 2020 | January 1, 2012 – June 30, 2020 Plaintiffs are willing to meet and confer with Tyson as to whether there are specific categories of responsive documents during the disputed period between January 1, 2012, and December 31, |

| RFP No. | Relevant Peterson RFP(s) | Request | Tyson's Proposed Date Range | Plaintiffs' Proposed Date Range |
|----------------|---------------------------------|--|--|--|
| | | | | 2013, that might be appropriately excluded from its production in response to RFP 6. |
| 7 | 8 | <p>Plaintiffs adopt Peterson RFP 8 for the purpose of these discussions:</p> <p>All Documents relating to Competitive Conditions in the markets for Cattle or Beef, including reports, presentations, industry publications, business plans, Studies, Analyses, or other Documents concerning: (i) market shares; (ii) consolidation, mergers, acquisitions, or joint ventures; (iii) production or processing capacity, capacity reduction, capacity utilization, or operating rates; (iv) fixed or variable costs; (v) pricing; (vi) inventories; (vii) entry or exit conditions; (viii) inventories; (ix) supplies/supply trends; (x) data, publications, or other sources used in the regular course of business by You to monitor Beef demand in the United States; (xi) substitute products; (xii) exports; (xiii) raw materials; (xiv) Beef Supply Factors; (xv) prices of Cattle or Beef at each level of distribution, including the extent that costs were</p> | January 1, 2012 – June 30, 2020 ⁶ | Agreed |

⁶ For the avoidance of doubt, this is the date range proposed in relation to Peterson RFP 8.

| RFP No. | Relevant Peterson RFP(s) | Request | Tyson's Proposed Date Range | Plaintiffs' Proposed Date Range |
|---------|---|---|---------------------------------|---------------------------------|
| | | passed on; (xvi) effect of changes in the supply of Cattle or Beef on the price of Beef at each distribution level; (xvii) other industry statistics; and (xviii) communications with investors, Industry Analysts, benchmarking services, and/or Creditor Representatives. | | |
| 8 | 6, 7, 20 (to the extent that call for documents relating to cattle procurement / pricing) | All Documents and Communications utilized, created, maintained or generally referred to by Your management or Employees responsible for Fed Cattle procurement for negotiating, pricing, or setting the terms and conditions for the purchase of Fed Cattle, including pricing policies or guidelines; pricing methods, pricing formulas, bidding or authorization policies, procedures, or conventions for Your Cattle buyers to negotiate Fed Cattle purchases, including any Communications Concerning bidding guidelines, techniques, conventions, timings or restrictions; Documents providing guidance or instructions to Your Cattle buyers about implementation of any such Policies, as well as the identification of all Employees involved in procuring Fed Cattle; and template and concluded contracts used by You to purchase Fed Cattle. | January 1, 2012 – June 30, 2020 | Agreed |

| RFP No. | Relevant Peterson RFP(s) | Request | Tyson's Proposed Date Range | Plaintiffs' Proposed Date Range |
|----------------|---|--|------------------------------------|--|
| 9 | 6, 7, 20 (to the extent that they relate to beef sales and pricing) | All Documents and Communications utilized, created, maintained or generally referred to by Your management or Employees responsible for Beef sales for quoting or pricing Beef, including sales and pricing policies or guidelines; pricing methods, pricing formulas, bidding or authorization procedures for Your sales Employees to quote prices; including any Communications concerning sales guidelines, techniques, or restrictions; and Documents providing guidance to Your sales Employees about implementation of any such Policies, as well as the identification of all employees involved in selling Beef. | January 1, 2012 – June 30, 2020 | Agreed |
| 10 | N/A | All Documents and Communications concerning your Cattle Futures transactions, your calculation of risk positions and risk limits, as well as the identification of all Employees involved in trading Cattle Futures. Included in this request are all Documents utilized, created, maintained, or generally referred to by Your Employees concerning setting, implementing, and adjusting Your Cattle Futures trading strategies and Policies, including those related to hedging, risk management, and speculation; concerning tracking, matching, and offsetting Your Cattle Futures positions; and, concerning Your Cattle Futures orders | January 1, 2012 – June 30, 2020 | Agreed |

| RFP No. | Relevant Peterson RFP(s) | Request | Tyson's Proposed Date Range | Plaintiffs' Proposed Date Range |
|---------|--------------------------|--|--|---|
| | | placed, filled, cancelled, expired, closed out, and partially offset. | | |
| 11 | N/A | All Documents and Communications concerning the available inventory and supply of Cattle in the U.S. and Canada, including the location of that inventory and supply and the proportion of that inventory and supply which had been purchased by You or another Beef packer. Included in this Request are Documents maintained or produced by You to record and estimate the inventory and supply of Cattle, changes in the inventory and supply of Cattle, and the perceived reasons for those changes. | <p>A. January 1, 2014 – June 30, 2020: Documents described in item (i) in Tyson's First RFP Responses. Tyson will also produce documents sufficient to show "regularly prepared reports analyzing the supply of fed cattle for slaughter in the United States" for the time period January 1, 2012 - December 31, 2013.</p> <p>B. January 1, 2012 – June 30,</p> | <p>A. Documents described in item (i): January 1, 2012 – June 30, 2020</p> <p>B. Documents in item (ii): Agreed</p> |

| RFP No. | Relevant Peterson RFP(s) | Request | Tyson's Proposed Date Range | Plaintiffs' Proposed Date Range |
|---------|--------------------------|---|---|---|
| | | | 2020: Documents described in item (ii) in Tyson's First RFP Responses. | |
| 12 | 1 | All Documents and Communications concerning the operation and utilization of Your Cattle slaughter and fabrication plants and associated cold storage facilities. Included in this Request are all Documents and Communications concerning proposed, considered, or actual changes in plant utilization or capacity; any proposed, considered, or actual decision to close, sell, slow, or idle a plant; slaughter and processing costs, including labor, energy, equipment, and all other non-Cattle costs associated with the operation of the plant; and Structured Data sufficient to show for each U.S. slaughter plant, fabrication, cold storage facility, and distribution center You operate in the United States the categories of information listed below as they may apply: [...]. | <p>A. January 1, 2014 – June 30, 2020: Documents described in item (i) in Tyson's First RFP Responses. Tyson will meet and confer regarding subsets of data requested by Plaintiffs based on availability of such data and the specific data's relevance to this litigation.</p> <p>B. January 1, 2014 – December 31, 2019:</p> | <p>A. Documents described in item (i): January 1, 2006 – December 31, 2021</p> <p>Plaintiffs propose that the period January 1, 2006, – December 31, 2021, apply, but are willing to meet and confer with Tyson to discuss both the availability of data and the appropriate start date of any such production.</p> |

| RFP No. | Relevant Peterson RFP(s) | Request | Tyson's Proposed Date Range | Plaintiffs' Proposed Date Range |
|---------|--------------------------|---------|--|--|
| | | | <p>Documents described in item (ii) in Tyson's First RFP Responses.</p> <p>C. January 1, 2014 – December 31, 2019: Documents described in item (iii) in Tyson's First RFP Responses. Tyson will also produce documents sufficient to show “permanent or long-term changes in its fed cattle slaughter plant capacity” for the time period January 1, 2012 – December 31, 2013.</p> | <p>B. Documents in item (ii): January 1, 2012 – June 30, 2020.</p> <p>C. Documents in item (iii): January 1, 2012 – June 30, 2020.</p> |

| RFP No. | Relevant Peterson RFP(s) | Request | Tyson's Proposed Date Range | Plaintiffs' Proposed Date Range |
|---------|--------------------------|--|---|---|
| 13 | 5, 8 | Documents and Communications concerning any studies, predictive analyses, reports, white papers, analytics, or other methods used by You concerning Your Cattle Business. Included in this request are all Documents utilized or generally referred to by Your management or Employees to forecast, record, and analyze profits, revenues, and/or costs (whether actual, budgeted, or forecasted) of Your purchases of Fed Cattle and/or sales of Beef and/or transactions in Cattle Futures, and all Communications concerning those Documents. | <p>A. January 1, 2012 – December 31, 2013 (limited to non-privileged documents sufficient to show any “regularly prepared studies, predictive analyses, reports, white papers, and analytics” specified in Tyson’s First RFP Responses)</p> <p>B. January 1, 2014 – June 30, 2020 (for documents specified to be produced in Tyson’s First RFP Responses)</p> | <p>A&B. January 1, 2012 – June 30, 2020.</p> <p>Plaintiffs propose that the period January 1, 2012, – June 30, 2020, apply, but are willing to meet and confer with Tyson regarding its proposed split date range. The proposed distinction drawn between responsiveness of documents falling within the two time periods proposed by Tyson is presently unclear to Plaintiffs.</p> |

| RFP No. | Relevant Peterson RFP(s) | Request | Tyson's Proposed Date Range | Plaintiffs' Proposed Date Range |
|----------------|---------------------------------|---|--|---|
| 14 | 5, 8 | Documents and Communications concerning any relationship between the pricing of, and supply and demand for, Fed Cattle, feeder cattle, cull cows and bulls, Cattle Futures, and Beef. This Request includes Documents and Communications describing factors determining supply (such as weather, disease, regulations, and all other factors You have described or discussed) and factors determining demand (such as population, income, tastes, substitute products, regulations, and all other factors You have described or discussed). | <p>A. January 1, 2012 – December 31, 2013 (limited to non-privileged documents sufficient to show any “regularly prepared studies, reports, and high-level strategy documents” specified in Tyson’s First RFP Responses)</p> <p>B. January 1, 2014 - June 30, 2020 (for documents specified to be produced in Tyson’s First RFP Responses)</p> | <p>A&B. January 1, 2012 – December 31, 2020.</p> <p>Plaintiffs propose that the period January 1, 2012, – December 31, 2020, apply, but are willing to meet and confer with Tyson regarding its proposed split date range. The proposed distinction drawn between responsiveness of documents falling within the two time periods proposed by Tyson is presently unclear to Plaintiffs.</p> |

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|----------------|---------------------------------|---|------------------------------------|--|
| 15 | N/A | Documents sufficient to identify any means of communication You used in Your Cattle Business. This includes, but is not limited to, any means of electronic messaging, any messaging applications, or social media used for work purposes, or any proprietary messaging or communication systems You used during the Relevant Period. | January 1, 2012 – June 30, 2020 | Agreed |
| 16 | N/A | All documents and communications concerning any Trade Association meetings, industry conferences, charity events, or other functions that were or may have been attended by any of Your Employees whose job function concerned Your Cattle Business, including: (a) meeting announcements; (b) agendas; (c) minutes; (d) notes; (e) invitee and attendee lists; (f) handouts; (g) reports; (h) statistical bulletins; (i) correspondence; and (j) Documents and Communications concerning Your participation in those meetings. | January 1, 2014 – June 30, 2020 | January 1, 2012 – June 30, 2020 Plaintiffs are willing to meet and confer with Tyson as to whether there are specific categories of responsive documents during the disputed period between January 1, 2012, and December 31, 2013, that might be appropriately excluded from its production in |

| RFP No. | Relevant Peterson RFP(s) | Request | Tyson's Proposed Date Range | Plaintiffs' Proposed Date Range |
|---------|--------------------------|--|---|--|
| | | | | response to RFP 16. |
| 17 | N/A | <p>For each Document Custodian, all:</p> <p>a. electronic and hard copy diaries, calendars, appointment books or notes, notebooks, or to-do lists;</p> <p>b. contact information maintained in electronic or hard copy format, for any person who is or was an owner, Employee, consultant, officer, board member, representative, or agent of:</p> <p>(i) a Beef packer; (ii) a Producer; (iii) an industry or financial analyst; (iv) an Employee of a trade association; (v) future commission merchants or brokerage and clearing organizations; (vi) an Employee of a non-Defendant that provides financing to Beef packers;</p> <p>c. trip and travel logs and records, expense reports, and entertainment reports, including any other supporting Documents;</p> <p>d. bills, statements, records, and supporting Documents concerning local, long distance, and cellular telephone calls by such Document Custodian, including calls made using telephones not paid for by You (such as home office, fax, and personal telephone numbers, personal cellphones, and</p> | <p>Tyson stands on its objections and refusal to produce documents in response to this request. Without waiving Tyson's objections and subject to Tyson's proposals "to meet and confer regarding an appropriate scope (e.g., perhaps in connection with future requests for production at an appropriate time)," Tyson proposes the following date range for any documents to be produced: January 1, 2014 –</p> | <p>January 1, 2012 – June 30, 2020</p> <p>Plaintiffs are willing to meet and confer with Tyson as to whether there are specific categories of responsive documents, for one or more custodians, during the disputed period between January 1, 2012, and December 31, 2013, that might be appropriately excluded from its production in response to RFP 17.</p> |

| RFP No. | Relevant Peterson RFP(s) | Request | Tyson's Proposed Date Range | Plaintiffs' Proposed Date Range |
|---------|--------------------------|--|-----------------------------|---------------------------------|
| | | <p>temporary pay-as-you go cellphones) if such telephones were used for business purposes;</p> <p>e. Documents relating to membership in any Trade Association or industry group or attendance at any Trade Association, industry group meeting, or investor conference, including announcements, membership lists, presentations (including speaker notes), agendas, minutes, notes, attendance lists, and correspondence;</p> <p>f. a copy of the Document Custodian's most recently created resume or curriculum vitae (CV);</p> <p>g. copies of any transcripts or recordings of any testimony of the Document Custodian relating to Your or another packer's Cattle Business, such as testimony at a deposition, trial, or public hearing;</p> <p>h. Documents sufficient to show the Document Custodian's complete contact information, including all phone numbers, social media user names or "handles," and email addresses used by such persons for any business purposes, even if only sparingly; and</p> <p>i. Any severance agreements in connection with the Document Custodian ceasing employment or changing employment status with You (without time limitation).</p> | December 31, 2019. | |

| RFP No. | Relevant Peterson RFP(s) | Request | Tyson's Proposed Date Range | Plaintiffs' Proposed Date Range |
|----------------|---------------------------------|---|---|---|
| 18 | N/A | <p>For each database You used to produce Structured Data, Documents, or other information in response to these Requests, as well as any other database that You use to store data or Structured Data concerning Your Cattle Business:</p> <p>a. documents sufficient to show the reports and the reporting capabilities of each database – whether pre-configured or configured on an ad-hoc basis, and whether created on a regular or ad-hoc basis;</p> <p>b. all data maps, data dictionaries, and document retention policies related to the database;</p> <p>c. exemplars of each type of report generated in the ordinary course of business from each database through an automated task or process, and the frequency with which such reports are generated (e.g., daily, weekly, monthly, quarterly, or annually);</p> <p>d. exemplars of all tables and/or files in each database; and</p> <p>e. exemplars of all fields for the tables and/or files identified in the immediately preceding request, and the descriptions and/or definitions for these fields.</p> | <p>See the above comment in Request No. 2, as Tyson proposes that the date range agreed to regarding data-related requests should apply to this request, as well.</p> <p>Requests for Production.</p> | <p>January 1, 2006 – December 31, 2021</p> <p>Plaintiffs propose that the period January 1, 2006, – December 31, 2021, apply, but are willing to meet and confer with Tyson to discuss both the availability of data and the appropriate start date of any such production.</p> |
| 19 | N/A | All Documents and Communications concerning Plaintiffs. | January 1, 2014 – June 30, 2020 | Agreed. |

| RFP No. | Relevant Peterson RFP(s) | Request | Tyson's Proposed Date Range | Plaintiffs' Proposed Date Range |
|----------------|---------------------------------|--|--|---|
| 20 | 16 | All Documents and discovery requests or responses provided to plaintiffs, received from plaintiffs, or provided to or received from third parties in actions related to this claim, including Peterson v. JBS USA Food Company Holdings et al, No. 19-cv-01129 (D. Minn.). | Tyson stands on its objections and refusal to produce documents in response to this request. Without waiving Tyson's objections to this request, Tyson incorporates by reference its Proposed Date Ranges served in the related cases. | Plaintiffs propose the date ranges ultimately agreed between Tyson and the plaintiffs in the related actions or ordered by the Court. |

Proposed Date Ranges for Peterson Set One Non-Crossover RFPs

| RFP No. | Request | Tyson's Proposed Date Range | Plaintiffs' Proposed Date Range |
|----------------|--|---|---|
| 4 | Copies of all Telephone Records in your possession, custody, or control, including Telephone Records of your main phone number(s), main fax number(s), and any phone number used as a switchboard for any of your relevant facilities such as your headquarters, administrative offices, Cattle Farms, Beef Processing Facilities, and Beef sales offices. | Tyson stands on its objections and refusal to produce documents in response to this request. Without waiving Tyson's objections and subject to Tyson's proposals "to meet and confer with plaintiffs in an effort to determine if there is a reasonable approach to production," Tyson proposes the following date range for any documents to be produced: January 1, 2014 - December 31, 2019. | January 1, 2012 – December 31, 2021 Plaintiffs are willing to meet and confer with Tyson as to whether there are specific categories of responsive documents, for one or more custodians, during the disputed period between January 1, 2012, and December 31, 2013 that might appropriate be excluded from its production in response to RFP 4. |
| 9 | All Documents concerning Cattle or Beef slaughter reduction/restraint or supply rationalization, industry leadership, industry discipline, production discipline, supply discipline, capacity discipline, or other so-called | January 1, 2014 – June 30, 2020: Documents described in item (i) in Tyson's First RFP Responses. Tyson will meet and confer regarding | January 1, 2006 – December 31, 2021, for structured data responsive to this Request. |

| RFP No. | Request | Tyson's Proposed Date Range | Plaintiffs' Proposed Date Range |
|----------------|---|---|---|
| | disciplined approaches or practices relating to the Cattle or Beef industries. | <p>subsets of data requested by Plaintiffs based on availability of such data and the specific data's relevance to this litigation.</p> <p>January 1, 2014 – December 31, 2019: Documents described in item (ii) in Tyson's First RFP Responses. January 1, 2014 – December 31, 2019: Documents described in item (iii) in Tyson's First RFP Responses.</p> <p>Tyson will also produce documents sufficient to show “permanent or long-term changes in its fed cattle slaughter plant capacity” for the time period January 1, 2012 - December 31, 2013..</p> | January 1, 2012 – June 30, 2020 for other responsive documents. |
| 10 | Documents relating to actions to conceal or avoid detection of any potential violations of federal, state, or international antitrust laws, competition laws, anti- | January 1, 2014 – June 30, 2020 | January 1, 2012 – June 30, 2020 |

| RFP No. | Request | Tyson's Proposed Date Range | Plaintiffs' Proposed Date Range |
|----------------|--|------------------------------------|--|
| | monopoly laws, anti-cartel laws, unfair competition laws, anti-bribery laws and any similar laws, rules or regulations (including the use of code words or otherwise masking the identity of any Person or entity, meeting in locations or communicating at times or via methods with the intent to avoid detection by any Person or entity, using non-traceable prepaid calling cards or cellphones, non-contract or disposable cell phones, placing calls from public phones, and destroying, secreting, altering or forging Documents). | | |
| 11 | All Documents sufficient to show Your corporate organizational structure throughout the Relevant Time Period, including, but not limited to, departments, divisions, parents, subsidiaries, joint ventures, affiliates, units or other subdivisions that had any role at any time during the Relevant Time Period in the production, processing, distribution, marketing, pricing or sale of Cattle or Beef. | January 1, 2012 – June 30, 2020 | Agreed. |
| 12 | Documents sufficient to describe in detail the Beef products You sold, marketed, or distributed from January 1, 2009 through the present, including any variations relating to brand name, physical properties and characteristics, packaging, product form, cut, further processing, grade, specialty products and any other factors influencing price, including Documents sufficient to show why and how You labeled, marked, | January 1, 2012 – June 30, 2020 | Plaintiffs propose that the period January 1, 2006 – December 31, 2021 apply, but are willing to meet and confer with Tyson to discuss both the availability of data and |

| RFP No. | Request | Tyson's Proposed Date Range | Plaintiffs' Proposed Date Range |
|----------------|--|------------------------------------|---|
| | and/or branded Your Beef during the Relevant Time Period, for purposes of product tracking, quality, safety, and/or regulatory compliance. | | the appropriate start date of any such production. |
| 15 | <p>For the time period from January 1, 2009 through the present, any Structured data relating to downstream sales by Your direct purchaser or other downstream purchasers, including:</p> <ul style="list-style-type: none"> a. the terms of each sale; b. the invoice number; c. the purchase order number; d. the location from which the Beef was shipped; e. the customer's name, phone number(s), address(es), email address(es), including the identity of the customer that was billed and the location to which the Beef was shipped; f. the date You shipped the Beef, the date You billed for the Beef, and the date the customer took delivery; g. the grade, cut, product form, and/or type of Beef, including any product numbers, unique purchaser- | January 1, 2014 – June 30, 2020 | Plaintiffs propose that the period January 1, 2009 – December 31, 2020 apply, but are willing to meet and confer with Tyson to discuss both the availability of data and the appropriate start date of any such production. |

| RFP No. | Request | Tyson's Proposed Date Range | Plaintiffs' Proposed Date Range |
|------------|---|--------------------------------|------------------------------------|
| | <p>specific identifier, any description of characteristics, and product descriptions sold for each transaction;</p> <p>h. the quantity (and units of measure) for each sale;</p> <p>i. all pricing information concerning the sale, including shipping, tax, or similar charges, and the gross and net unit price for each item in the sale;</p> <p>j. the currency in which the sale was billed and paid;</p> <p>k. any discounts, rebates, credits, freight allowances, returns, free goods, and/or services or any other pricing adjustment for each sale, with sufficient information to attribute these adjustments to individual sales;</p> <p>l. if a resale, the Supplier of each Cattle or Beef sold in connection with each sale;</p> <p>m. the price You paid Your Supplier for each type of Cattle or Beef sold in connection with each sale, including gross and net aggregate and per-unit prices;</p> <p>n. any fixed or variable costs or costs of goods sold concerning the sale (including freight charge and transportation cost, sales and distribution cost, raw</p> | | |

| RFP No. | Request | Tyson's Proposed Date Range | Plaintiffs' Proposed Date Range |
|----------------|--|------------------------------------|--|
| | <p>materials, intermediates, marketing or sales cost, and any other cost attributed or allocated to the sale);</p> <p>o. for any sale or purchase from another Beef Processor, Electronic Data Interchange fields for which the user can freely enter text, such as “comments” or similar fields;</p> <p>p. any Structured Database field summarizing terms of sale or agreements or contracts for customers;</p> <p>q. any other data available in Your database Concerning the purchase, sale or distribution of the Cattle or Beef for each sale.</p> | | |
| 17 | All Documents concerning the costs of and potential obstacles to entering the Cattle or Beef markets, including, but not limited to, capital costs, environmental regulations, production costs, marketing costs and difficulties, contractual supply relationships, market conditions, brand loyalty or differentiation, start-up costs, and any other difficulties or obstacles to entry into the market for producing and selling Cattle or Beef. | January 1, 2012 – June 30, 2020 | Agreed. |
| 18 | Documents sufficient to show actual or potential substitutes for Beef, or the elasticity of supply, demand, or price of Beef, analyzed by You during the Class Period | January 1, 2012 – June 30, 2020 | Agreed. |

| RFP No. | Request | Tyson's Proposed Date Range | Plaintiffs' Proposed Date Range |
|----------------|--|------------------------------------|--|
| | (including the effect of such substitutes' prices upon Beef pricing, purchase terms, or profits). | | |
| 19 | All Documents, summaries, reports, data or point of sale information concerning the pricing of Beef provided by direct purchasers or other downstream purchasers of Beef to You for the Relevant Period. | January 1, 2012 – June 30, 2020 | Agreed. |

Dated: November 9, 2021

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CERTIFICATE OF SERVICE

I hereby certify that on November 9, 2021, a true and correct copy of the foregoing PLAINTIFFS' JOINT REVISED PROPOSAL RE: DOCUMENT CUSTODIANS, NON-CUSTODIAL DOCUMENT SOURCES, AND DATE RANGES TO TYSON FOODS, INC. AND TYSON FRESH MEATS, INC. was served by email on Defendants' counsel of record.

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